

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1-16 remain pending, wherein claims 1 and 2 have been amended, and claims 12-16 have been added.

Claims 1-11 are rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This ground of rejection is respectfully traversed.

The Office Action asserts that certain elements in claims 1 and 2 lack antecedent basis and are unclear. Claims 1 and 2 have been amended to address many of the concerns raised in the Office Action. However, it is respectfully submitted that a number of elements cited in the Office Action do in fact have sufficient antecedent basis in the claims and are clear.

For ease of explanation, reference will be made to the page and line numbers of the claims in the application as filed. With regard to the element recited on page 41, line 2 of “the channel frequency of a station” this element has been amended to recite “the channel frequency the broadcasting station.” It is respectfully submitted that antecedent basis for this element can be found on page 40, line 16 which recites “the channel frequency of the broadcasting station.”

With regard to “the counted channel number” for the first and second frequency plans recited on page 41, lines 13-16, it is respectfully submitted that the antecedent basis can be found on page 40, lines 15 through 20 which recite a

first channel number counting means for “counting up a number of station present channels in a channel plan to which said broadcasting station belongs.” Because the first channel number counting means counts up a number of station present channels for the first and second channel plans, it is respectfully submitted that there is sufficient antecedent basis for “the counted channel number” for the first and second frequency plans recited on page 41, lines 13-16.

With regard to the recitation of “the channels” on page 41, line 19, it is respectfully submitted that when this element is read in context of the claim, the antecedent basis for this element is clear. Specifically, on page 41, lines 19-20, “a continuous channel among the channels which are judged that a station is present” is recited. On page 40, lines 10-14 of claim 1, a station presence judging means is recited which judges whether a station is present. Accordingly, it is respectfully submitted that the recitation of the station presence judging means provides sufficient antecedent basis for “the channels which are judged that a station is present” as recited on page 41, lines 19-20.

With regard to “the count number” for said first and second channel plans recited on page 41, lines 20-22, it is respectfully submitted that the first channel number counting means provides sufficient antecedent basis for these elements. Specifically, the first channel number counting means is for “counting up a number of station present channels in a channel plan.” Accordingly, it is this count number which is referred to on page 41, lines 20-22.

With regard to “the channels of the error data” recited on page 41, line 25 to page 42, line 1, it is respectfully submitted that when this element is read in

context of the claim, there is sufficient antecedent basis. Specifically, page 40, line 25 through page 42, line 1 recites “among the channels of the error data counted by said second channel number counting means.” On page 40, line 24 through page 41, line 1, recites that the second channel number counting means is for “memorizing an error data of a center frequency with a channel number.” Accordingly, it is respectfully submitted that it is clear that “the channels of the error data” counted by said second channel number counting means has sufficient antecedent basis in the recitation of the second channel number counting means.

With regard to “the error data off a center frequency” recited in claim 2, lines 14-15, it is respectfully submitted that the recitation in claim 1 on page 40, lines 24-25 of an error data off a center frequency” provides sufficient antecedent basis for the recitation of claim 2.

With regard to the recitation of “the channel frequency of the station” and claim 2 on page 42, lines 16-17, it is respectfully submitted that when this recitation is considered in context that there is sufficient antecedent basis. Specifically, claim 2, on page 42, lines 16-18, recites “if it is determined that the channel frequency of a station that is judged to present is outside a fixed frequency range from the center frequency.” Claim 1, on page 40, lines 15-17 recites “first channel number counting means for judging whether or not the channel frequency of a broadcasting station is within a fixed frequency range from a center frequency.” It is respectfully submitted that this recitation in

claim 1 provides sufficient antecedent basis for the recitation of “the channel frequency of the station” recited in claim 2 on page 42, lines 16-17.

With regard to the recitation of “the number of station” in claim 2, on page 43, line 20, it is respectfully submitted that this element should be considered in the context of the claim which recites “the number of station present channels.” Claim 1, on page 40, line 19 recites “a number of station present channels.” Accordingly, it is respectfully submitted that there is sufficient antecedent basis for “the number of station present channels” recited in claim 2 on page 43, line 20.

The Office Action asserts that it is unclear whether the first or second channel plan is being referred to by “the channel plan” recited in claim 1 on page 40, line 20. The recitation of “the channel plan” recited in claim 1 on page 40, line 20, has been amended to recite “a channel plan.” Claim 1 recites a first channel number counting means which is for “counting up a number of station present channels in a channel plan to which said broadcasting station belongs.” It is respectfully submitted that this recitation refers to either the first or second channel plan for which the station presence judging means performs its judging as recited in claim 1 on page 40, lines 10-14. Accordingly, it is respectfully submitted that the recitation of “a channel plan” in claim 1 on page 40, line 20 is clear.

Because the claims have been amended to address many of the concerns raised in the Office Action, and the other concerns have been addressed by the

discussion above, it is respectfully requested that the rejection of claims 1-11 under 35 U.S.C. § 112, second paragraph be withdrawn.

New claims 12-16 have been drafted in view of the rejection under 35 U.S.C. § 112, second paragraph, and hence, it is respectfully submitted that these claims are allowable.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #038849.49375US).

Respectfully submitted,



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